

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:15-CV-01046
)	
Plaintiff,)	
)	JUDGE SOLOMON OLIVER, JR.
vs.)	
)	<u>NOTICE SUBMITTING MONITOR'S</u>
CITY OF CLEVELAND)	<u>MEMORANDUM REGARDING</u>
)	<u>ARBITRATION DECISION</u>
Defendant.)	
)	
)	

The Monitor respectfully notifies the Court of the attached Memorandum to the City of Cleveland (“the City”) regarding a recent arbitration decision. The Consent Decree requires the City to “ensure that discipline for sustained allegations of misconduct comports with due process, and is consistently applied.”¹ It further requires that the City develop a disciplinary matrix that, among other things, “establishes a presumptive range of discipline for each type of rule violation.”² The City has apparently made progress with the adjudication of known misconduct. The sustainability of that progress depends in large measure on arbitration decisions. The attached Memorandum pertains to a specific arbitration decision shared with the Monitoring Team on June 24, 2022. (Exhibit A) As detailed in the Memorandum, the application of a beyond reasonable doubt standard in the recent arbitration decision – solely reserved for criminal adjudications – poses a risk to the City’s ability to comply with its requirement under the Consent Decree to hold officers accountable for misconduct.

¹ Dkt. 413-1, Ex. A ¶245; Dkt. 416.

² *Id.* at 246 (a).

Respectfully submitted,

/s/ Hassan Aden

HASSAN ADEN

Monitor

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CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2022, I served the foregoing document entitled **Notice Submitting Monitor's Memorandum Regarding Arbitration Decision** via the court's ECF system to all counsel of record.

/s/ Ayesha Bell Hardaway
AYESHA BELL HARDAWAY